

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Case No. 2:19-CR-242 JCM (EJY)

Plaintiff(s),

ORDER

v.

BOBBY BABAK KHALILI,

Defendant(s).

Presently before the court is defendant Bobby Khalili's emergency motion to extend his self-surrender date, which is today (ECF No. 125).

Defendant seeks to extend his self-surrender date so that he may assist in coordinating long-term care arrangements for his child. (*Id.*) His child has several complex medical needs that he claims require specialized care. (ECF No. 123, *incorporated by reference in* ECF No. 125). While the court sympathizes with the child's needs, the court DENIES this motion.

This is not a case where a child has *no* other person available to care for her. *See United States v. Seldon*, No. 2:07-cr-00135-KJD-LRL (ECF No. 338). Nor is this a situation where the defendant's own health was in danger due to the COVID pandemic and the attendant risks of incarceration. *See, e.g., United States v. Maxwell*, 567 F.Supp.3d 824 (S.D. Ohio 2021).

Custodial imprisonment presents universal hardships. Defendant contends that his hardship is particularly compelling because of his child's medical needs and the recent loss of her specialized care nurse. (ECF No. 123). However, his wife is still available to care for his children, and defendant has been aware of the need for a new nurse for at least "several weeks." (*See id.*)

Defendant thus presents nothing extraordinary and compelling that justifies his requested two-week extension to surrender. The court understands that defendant's term of incarceration

1 will be difficult for his family, but “the incarceration of a defendant commonly creates significant
2 hardships for family members.” *United States v. Rodriguez*, No. 15-cr-0254 (PJS/BRT), 2021 WL
3 1187149, at *3 (D. Minn. Mar 30, 2021).

4 Accordingly,

5 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that defendant’s motion to
6 extend his self-surrender date (ECF No. 125) be, and the same hereby is, DENIED.

7 DATED October 21, 2022.

8 
9 _____
UNITED STATES DISTRICT JUDGE